

**CHARTER OF OREGON CITY RADIO AMATEUR CIVIL EMERGENCY SERVICE
(OC RACES), A DIVISION OF CLACKAMAS AMATEUR RADIO EMERGENCY SERVICES
(CARES)**

PREAMBLE

WHEREAS, the Oregon City Fire Department (hereafter "OCFD"), and its Chief, are the Emergency Management Agency and Emergency Manager, respectively, for the City of Oregon City, County of Clackamas, State of Oregon (hereafter "City of Oregon City" or "the City"), under the City Code of the City of Oregon City; and

WHEREAS, licensed radio amateurs within and in proximity to the City of Oregon City have repeatedly demonstrated their willingness and ability to assist the City during times of communications emergencies, storms, floods and other calamities when normal means of communication are inoperative, overloaded, inadequate or unavailable; and

WHEREAS, said radio amateurs have voluntarily organized a cadre of trained radio operators and technical experts to provide such assistance to the City, to operate within the Amateur Radio Emergency Service (hereafter "ARES") auspices of the American Radio Relay League (hereafter "ARRL") Field Organization, as a division of the ARES organization Clackamas Amateur Radio Emergency Services (hereafter "CARES"); and

WHEREAS, said cadre proved its value to the City during the severe ice storm of February, 1998, during which time OCFD temporarily suffered disruption of its primary communications systems, and widespread road blockages and property damage occurred within the City, said cadre having automatically and voluntarily activated itself, providing points of communication throughout the City; and

WHEREAS, CARES has repeatedly assisted the Clackamas County Sheriff's Office (hereafter "CCSO"), the official Emergency Management Agency of Clackamas County; and

WHEREAS, the Radio Amateur Civil Emergency Service (hereafter "RACES") is a federally chartered system of organized radio amateurs authorized, upon registration with their local civil defense agencies, to communicate with other amateur stations, government and military stations, and other stations, during times of emergency, including but not limited to such times as regular Amateur Radio operations are suspended under the Emergency War Powers Act; and

WHEREAS, it is desirable that the City have at its disposal the cadre of trained radio amateurs referred to above, with the latter having the abilities attendant to groups operating under ARES and RACES auspices; and

WHEREAS, the cadre of radio amateurs within the City has secured the approval of OCFD and of CARES to function in such capacity; **NOW, THEREFORE**

THE UNDERSIGNED PARTIES, on behalf of the described cadre of radio amateurs, OCFD, and CARES, hereby establish this Charter for the OREGON CITY RADIO AMATEUR CIVIL EMERGENCY SERVICE (hereafter "OC RACES"), to operate as a RACES organization registered with OCFD, and as a Division of CARES, as more fully provided herein, to the fullest extent allowed under the Communications Act of 1934 as amended from time to time, and Part 97 of the Code of Federal Regulations, as amended from time to time.

ARTICLE I. NAME AND PURPOSE.

SECTION 1. The organization established by this Charter shall be known as "Oregon City RACES," and may also be known as "Oregon City ARES," and "Oregon City ARES/RACES," depending upon the convention of use attendant to the particular communications services being provided by the organization;

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"Oregon City" may be abbreviated as "OC" for administrative purposes and reasons of brevity. For purposes of this document, and for all official OCFD purposes, the organization shall be known as "Oregon City RACES," or the abbreviated form "OC RACES."

SECTION 2. The purposes of OC RACES shall be: (A) the provision of auxiliary emergency and public service communications to the City, as a volunteer auxiliary of OCFD, under auspices of CARES and ARES; and, when deemed necessary in order to effect essential emergency communications or conduct necessary training, under auspices of RACES; (B) to conduct training and exercises for the advancement of skills of OC RACES members in emergency communications; (C) to provide public service communications for City and community events; (D) to serve CCSO as a unit of, and as individual members of, CARES; (E) all other lawful purposes not inconsistent with the Communications Act, Part 97 of the Code of Federal Regulations (hereafter "Part 97"), the CARES charter, ARRL and ARES criteria, and the City Code.

ARTICLE II. STRUCTURE AND ADMINISTRATION

SECTION 1. OC RACES shall operate as a not for profit, unincorporated association affiliated with the City, with CARES, and with ARES. All property acquired by OC RACES shall be held in trust for the benefit of the City. Any property donated to OC RACES shall be receipted to the donor by OC RACES as trustee for the City. Upon dissolution of OC RACES, all property and assets held by OC RACES as trustee for the City, shall be transferred to OCFD on behalf of the City, and shall become the property of the City, for the benefit of the City, except as provided in Article V, Section 2 of this charter. OC RACES, its members and officers, and their heirs and assigns, shall hold the City harmless from any liability arising from the acquisition or use by OC RACES of property held in trust for the City pursuant to this charter. OC RACES shall not acquire title to real property. Nothing in this section precludes the use by OC RACES of equipment and property of individual members, and title and ownership of such loaned equipment and property shall remain vested in the individual(s) loaning same for use.

SECTION 2. In the execution of its duties as a RACES organization registered with the City, OC RACES shall be under the authority and direction of the Chief, OCFD, and/or the Chief's designees. As an organization affiliated with ARES, OC RACES shall be in the chain of command established within the ARES structure, and shall be under the authority and direction of the CARES Emergency Coordinator (hereafter "EC") and/or the EC's designees. OC RACES shall administer its own day to day affairs in accordance with this charter.

SECTION 3. Full voting ("enrolled") OC RACES membership shall be open, without payment of dues, to all persons eighteen years of age or older holding valid, unexpired amateur radio operator licenses issued by the Federal Communications Commission (hereafter "FCC"), who reside or are employed within Clackamas County, Oregon, and who register with OCFD and OC RACES and agree to abide by the terms of this charter. Nonvoting ("associate") membership shall be open, without payment of dues, to persons not meeting the criteria for enrolled membership, who express an interest in supporting the mission of OC RACES and who register with OCFD and OC RACES and agree to abide by the terms of this charter. The general membership of OC RACES consists of its enrolled and associate members, and at time of adoption of this charter the roster of general membership is as specified in the list of persons attending the initial organization meeting, appended hereto and incorporated herein by this reference, as "Exhibit A." A member, in order to remain in good standing, must attend a minimum of two general membership meetings in a calendar year.

SECTION 4. OC RACES shall be internally administered by a Core Group which shall initially be as previously established at the organizational meeting of OC RACES as the "Provisional Coordinating Committee." All members of the Core Group shall be enrolled members of OC RACES.

SECTION 5. The lead officer of the OC RACES Core Group shall be titled the Radio Officer (hereafter "RO"), who shall be a resident of Oregon City. At inception, the Chair of the Provisional Coordinating Committee named at the organizational meeting of OC RACES, shall serve as RO until an RO is selected in

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accordance with Section 6 of this Article. There shall, in addition to the RO, be such Deputy Radio Officers (hereafter "DROs") as the Core Group shall deem necessary from time to time. Among the officers of the Core Group shall be a Quartermaster, who shall keep inventory of loaned and acquired equipment and property at the disposal of OC RACES. The CARES EC, and the Chief (or his designated delegate) shall be ex officio members of the Core Group. The trustee of the Club Primary Amateur Radio Station license provided for in Article IV of this charter, shall be an officer of the Core Group.

SECTION 6. The RO may delegate duties and responsibilities of the RO to DROs, and to other members of OC RACES, as necessary to carry out the purposes of OC RACES.

SECTION 7. OC RACES shall establish a procedure, adopted by the Core Group and ratified as a Standing Rule by a majority of enrolled members present and voting at a regular general membership meeting, for selection of its officers, and for the rotation of RO, DROs, the Core Group, and other offices, functions and positions, among the members of OC RACES, which procedure shall take into account democratic principles, radio amateur license class, training, character, and experience.

SECTION 8. The Core Group may create, alter, modify or abolish offices, positions, committees, working groups and task forces as it reasonably deems necessary from time to time, in a fashion not inconsistent with this charter or the standing rules of OC RACES adopted hereunder.

SECTION 9. The Chief, OCFD, (hereafter "the Chief"), and/or the Chief's designee(s), shall have authority to dismiss or suspend the RO, any DRO, or any other member of OC RACES, from active office or membership, whenever such dismissal or suspension is reasonably necessary in order to protect the mission of OCFD to protect life and property. Such decision shall be made in writing, explaining the reasons therefor, and shall be taken only following consultation with the affected person(s) and the Core Group, except when delay occasioned by such consultation and requirement of writing would, due to exigent circumstances, jeopardize the mission of OCFD, in which case the affected person(s) may be suspended, and such consultation and writing shall take place as soon after the dissipation of the exigency as possible, after which such suspension may if deemed necessary by the Chief of the Chief's designee(s), be converted to a dismissal. This section creates an expectation of good faith. No person suspended or dismissed pursuant to this section shall have any cause of action against the City, OCFD, OC RACES, CARES, CCSO, ARES, ARRL, or any of said organizations' officers, employees, units, alter egos, agents, designees, or members arising from such suspension or dismissal.

SECTION 10. The RO may, upon recommendation by majority of the Core Group, ratified by majority vote of the enrolled membership of OC RACES present and voting at a special meeting called for this purpose, be removed from office on grounds of habitual absenteeism, lack of confidence in the ability of the RO to discharge the duties of the office, inability to discharge the duties of office, or conduct calling into question the character of the RO which jeopardizes the image of OC RACES or the other parties to this charter. A special meeting called for this purpose must be held no sooner than fourteen days following the announcement thereof on the OC RACES net and mail notice thereof to the enrolled membership (mail notice deemed effective on date postmarked). Any other officer may be removed in the same fashion, on the same grounds. A quorum for purposes of such special meeting shall consist of not less than 50% of the enrolled OC RACES membership.

SECTION 11. Upon vacancy in the office of RO, due to resignation or removal, the Core Group shall select a qualified enrolled member to assume the duties of Acting RO, until the next regular selection of an RO in accordance with the procedures established by Standing Rules pursuant to Section 7 of this Article. Vacancies in any other office shall be filled in the same fashion.

SECTION 12. OC RACES shall adopt training programs and competency criteria as deemed necessary to the carrying out of its mission.

SECTION 13. OC RACES shall hold regular general membership meetings on a periodic basis, the

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frequency of which shall be established by the general membership, but which should be held not less than once per calendar month. The date, time and place of regular and special general membership meetings, and the items known to be on the agenda of such meetings, shall be announced on the OC RACES net and the CARES net prior thereto, except as otherwise provided in this Article. During the months of June through August, the requirement of general meetings shall be suspended, and during that period, the Core Group shall take such actions as are necessary for the continuity of OC RACES, not inconsistent with this Charter and the Standing Rules adopted by the membership from time to time by majority vote of enrolled members present and voting at a general membership meeting.

SECTION 14. A special general membership meeting may be called whenever the Chief (hereafter in this document, "Chief" includes the Chief's designee(s)), or Core Group deems such general meeting to be necessary, in which case said meeting shall, unless impractical, be announced at least a week in advance on the OC RACES net and on the CARES net, and when feasible the general membership shall be notified by mail at least two weeks prior to such special meeting.

SECTION 15. The Core Group shall establish its own schedule of meetings, which schedule shall be publicized to the general membership. Core Group meetings shall be open to all OC RACES members, and to the Chief; provided, however, that the Core Group shall meet in closed executive session, and minutes thereof shall be sealed, during discussions related to the suspension or dismissal of a member or other disciplinary matter.

SECTION 16. Except as otherwise provided herein, minutes shall be recorded of all Core Group and regular and special general membership meetings, which minutes shall be made available for review by the CARES EC, the Chief, and the general membership.

SECTION 17. [RESERVED].

SECTION 18. The Chief will make available, to the extent reasonable and possible, OCFD facilities for meetings of OC RACES, at no cost to OC RACES.

SECTION 19. Further provision for adoption of standing rules, bylaws, voting procedures, etc., are beyond the scope of this charter and shall be established by the enrolled OC RACES membership in a fashion not inconsistent with this charter.

ARTICLE III. DEPLOYMENT, ACTIVATION, FIELD OPERATIONS.

SECTION 1. OC RACES will, in cooperation with OCFD and CARES, develop an Emergency Communications plan which will establish: (A) protocol for activation of OC RACES by the City; (B) protocol for OC RACES activation by CARES; (C) OC RACES self-activation; (D) frequencies, types of communications, stations with which OC RACES may communicate when in "ARES mode" and "RACES mode," and other tactical aspects of actual field operations.

SECTION 11. Upon receipt in the office of the Chief, the Core Group shall select a qualified member to assume the duties of Acting Chief, until the next regular session of the Board. In accordance with the provisions established by Standing Rules pursuant to Section 7 of this article, a new Chief shall be elected in the same fashion.

SECTION 12. OC RACES shall select training programs and equipment which are deemed necessary to the carrying out of its mission.

SECTION 13. OC RACES shall hold regular general membership meetings on a periodic basis, the

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frequency of which shall be established by the general membership, but which should be held not less than once per calendar month. The date, time and place of regular and special general membership meetings, and the time period to be on the agenda of each meeting, shall be announced in the OC RACES newsletter and the OC RACES newsletter shall be published in the 4 weeks leading the month of June through August. The membership of general meetings shall be reported, and during that period, the Core Group shall take such action as may be necessary for the continuity of OC RACES, in accordance with this Charter and the Standing Rules adopted by the membership from time to time by majority vote of enrolled members present and voting in a general membership meeting.

SECTION 14. A special general membership meeting may be called whenever the Chief, pursuant to the Charter, deems it necessary. The Chief's designee (i.e., the Core Group) shall convene such special meeting in the event, in which case and meeting shall, where practicable, be announced at least a week in advance. The OC RACES newsletter and the OC RACES newsletter shall be published in the 4 weeks leading the month of June through August.

SECTION 15. The Core Group shall establish its own schedule of meetings, which schedule shall be published to the general membership. Core Group meetings shall be open to all OC RACES members and to the Chief, provided, however, that the Core Group shall meet in closed executive sessions, and members thereof shall be asked, during discussion related to the submission or dissent of a member or other disciplinary matter.

SECTION 16. Except as otherwise provided herein, members shall be recorded in all Core Group and regular and special general membership meetings, which records shall be made available for review by the OC RACES newsletter, the Chief, and the general membership.

SECTION 17. (RESERVED)

SECTION 18. The Chief shall make available, to the extent practicable and possible, OC RACES facilities for members of OC RACES, as set out in OC RACES.

SECTION 19. Further provision for adoption of standing rules, bylaws, voting procedures, etc., are provided in the scope of this Charter and shall be established by the enrolled OC RACES membership in a general membership meeting and the Charter.

ARTICLE III. DEPLOYMENT, ACTIVATION, FIELD OPERATIONS

SECTION 1. OC RACES will, in cooperation with OCTD and CARES, develop an Emergency Communications Plan which will establish: (A) protocol for activation of OC RACES by the City; (B) protocol for OC RACES activation by CARES; (C) OC RACES self-activation; (D) Emergency plan of OC RACES; and (E) OC RACES self-activation plan. OC RACES will coordinate with "ARMS units" and "RACES units" and other tactical aspects of local field operations.

SECTION 2. The Chief will establish criteria for the issuance of identification cards and/or badges to OC RACES members, to assist same in the execution of their duties and to identify those persons authorized to enter within particular sensitive and/or secured areas, or upon certain OCFD administered City property. Such identifications shall remain the property of OCFD, and such identifications and attendant authorizations may be suspended or revoked by the Chief at any time without prior notice for any reason deemed necessary by the Chief for the safeguarding of the mission of OCFD.

SECTION 3. OCFD, OC RACES and CARES will establish protocols which ensure smooth deployment of OC RACES resources. OC RACES will operate as a unit of CARES specially dedicated to serve the City. All OC RACES members shall be members of CARES, and shall be subject to the protocols promulgated pursuant to this section. The protocols called for under this section will indicate the conditions under which OC RACES resources shall be primarily and secondarily assigned to the City and to Clackamas County.

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ARTICLE IV. STATION PARTICIPATING IN RACES.

SECTION 1. As soon as practicable, OC RACES shall procure a Club Primary Amateur Radio Station license (hereafter "club station") from the FCC. Upon issuance of such license, this charter shall operate as a Certificate of Authorization by OCFD, in its capacity as the Civil Defense Organization of the City of Oregon City, Oregon, for said club station to operate as an Amateur Station Participating in RACES, pursuant to Part 97, conferring, to the fullest extent, all privileges afforded such stations with respect to frequencies, types of communications, and other stations in various services with which radio communications may be conducted.

SECTION 2. The Core Group shall promulgate appropriate procedures for the utilization of the privileges afforded amateur stations participating in RACES under Part 97.

SECTION 3. The trustee of the club station may obtain a call sign for said station under the FCC's "Vanity Call sign Program," in order to establish a station identity which will be more easily identified with the mission of OC RACES than a serially issued call sign.

SECTION 4. The club station trustee shall be named by the Core Group, and is subject to all of the other provisions of this charter concerning OC RACES officers.

ARTICLE V. EFFECTIVE DATE, WITHDRAWAL, DISSOLUTION

SECTION 1. This charter is effective upon the affixing of the signatures of the Chief (or the Chief's designee), the CARES EC (or the EC's designee or Acting EC), and the Acting RO.

SECTION 2. OCFD may, through the Chief, unilaterally withdraw from this charter at any time without penalty or liability of any kind whatsoever. Upon such unilateral withdrawal, OC RACES shall be dissolved, and the members thereof shall remain members of CARES. Further, upon such OCFD unilateral withdrawal, CARES shall be relieved of any protocols adopted pursuant to this charter, regarding the allocation of OC RACES or CARES resources to the City, and from any other expectations or obligations assumed as a result of the existence of this charter. In the event of such unilateral OCFD withdrawal, this charter, save and except for this Article, shall be deemed null and void; and in lieu of distribution of property as provided in Article II, Section 1 of this charter, such distribution shall be made by the most senior OC RACES officer at the time of dissolution, to any organization which is exempt from federal income taxation pursuant to the provisions of the Internal Revenue Code (IRC) pertaining to charitable, religious, educational, amateur athletic and similar nonprofit organizations and foundations operating under sections 501 and/or 509 of the IRC.

SECTION 3. CARES, through its EC, may unilaterally withdraw from this charter at any time, without penalty or liability of any kind whatsoever. Upon such unilateral CARES withdrawal, OC RACES shall continue as a functioning unit serving the City, and its members may remain members of CARES at the discretion of CARES; further, OC RACES shall, in case of such unilateral withdrawal by CARES, be relieved of any protocols, expectations and obligations assumed for the allocation of resources to Clackamas County as a result of the existence of this charter; further, such provisions of this charter, and matters contained within protocols and conventions adopted or which evolve from this charter, dependent upon CARES being a signatory hereto, shall be deemed rescinded.

SECTION 4. OC RACES may, by majority vote of the enrolled membership present and voting at a special meeting called for that purpose, dissolve. In such event, this charter shall become null and void, except and save for this section, and except that qualifying property shall be distributed in accordance with Article II, Section 1 of this charter.

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ARTICLE VI. AMENDMENTS.

This charter may be amended by the affixing of the signatures of the Chief (or the Chief's designee), the CARES EC (or the EC's designee or Acting EC), and the OC RACES RO (or the RO's designee or Acting RO), to such amendment, which shall be attached to the original hereof, with copies of such endorsed amendment being attached to all official copies hereof; provided, however, that such amendment shall be effective only to the extent that the signatory thereto possessed authority to endorse same.

WHEREFORE, we have established the OREGON CITY RADIO AMATEUR CIVIL EMERGENCY SERVICE, by the affixing of our signatures hereto, on the dates indicated:

Date: _____ Chief, Oregon City Fire Department

Date: _____ Acting RO, Oregon City RACES

Date: _____ EC, CARES

